

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CRIMINAL CASE NO. 1:11cr10**

**UNITED STATES OF AMERICA,**

**vs.**

**JAMES W. "BILL" BAILEY, JR.**

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**ORDER**

**THIS MATTER** is before the Court on the Motion for Withdrawal of Claim for Return of Seized Property [Doc. 461] filed by the Claimants Krystal and David Bottom and the Government's Motion to Dismiss or, in the Alternative, for Summary Judgment [Doc. 374] regarding the Bottoms' Claim.

The Claimants Krystal and David Bottom move to withdraw their Claim for Return of Seized Property without prejudice to their right to seek full restitution in this case as victims. [Doc. 461]. The Government consents to the Claimants' Motion.

For the reasons stated in the Claimants' Motion, and for cause shown,

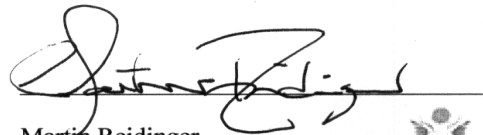
**IT IS, THEREFORE, ORDERED** that the Motion for Withdrawal of Claim for Return of Seized Property [Doc. 461] is **GRANTED**, and the Claim for Return of Seized Property filed by Krystal and David Bottom [Doc. 131] is

deemed **WITHDRAWN** without prejudice to the Claimants' right to seek full restitution in this action as victims.

**IT IS FURTHER ORDERED** that the Government's Motion to Dismiss or, in the Alternative, for Summary Judgment [Doc. 374] with respect to the Bottoms' Claim for Return of Seized Property is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: May 21, 2012

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger  
United States District Judge

